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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,927	04/12/2004	Eliot Lear	50325-0864	4441
29989 7590 04/18/2007 HICKMAN PALERMO TRUONG & BECKER, LLP 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110			EXAMINER JOHNSON, CARLTON	
			ART UNIT	PAPER NUMBER
			2136	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/822,927

Applicant(s)

LEAR, ELIOT

Examiner

Carlton V. Johnson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responding to application papers filed on **4-12-2004**.
2. Claims **1 - 32** are pending. Claims **1, 8, 18, 21, 25, 29** are independent.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims **1 - 32** are rejected under 35 U.S.C. 102(e) as being anticipated by **Bosler et al.** (US Patent No. **20050010757**).

Regarding Claims 1, 21, 25, Bosler discloses a method, comprising the computer implemented steps of:

- a) receiving trust information defining one or more trusted signatories; (see Bosler paragraph [0058], lines 5-7: public/private key pairs; paragraph [0060], lines 1-6: CAs (i.e. trusted signatories) distributing or granting certificates, received by user)

- b) receiving configuration information comprising a hostname, one or more configuration directives for a host network element associated with the hostname, and one or more digital signatures of the hostname and configuration directives; (see Bosler paragraph [0058], lines 5-14: management (i.e. configuration) information transferred between manager and client, digital signature verification required)
- c) attempting to verify the one or more digital signatures based on the trust information; (see Bosler paragraph [0008], lines 7-13: verification digital signature based on certificates received from CA (i.e. trust information))
- d) applying the configuration directives to a network element only when the one of more digital signatures are verified successfully. (see Bosler paragraph [0057], lines 29-33: utilize directives or commands after digital signature verification)

Regarding Claims 2, 22, 26, 30, Bosler discloses a method as recited in Claim 1, further comprising the steps of

- a) verifying that the one or more digital signatures is valid (see Bosler paragraph [0008], lines 7-13: verify digital signature) and
- b) that one or more principals respectively associated with the digital signatures have collective authority to perform the directives on the host. (see Bosler paragraph [0058], lines 9-14: mutual authentication before directives or commands processed)

Regarding Claims 3, 4, Bosler discloses a method as recited in Claim 1, further comprising the steps of

- a) receiving in association with a particular configuration directive, security information defining a number of required signatures and required principals; (see Bosler paragraph [0058], lines 21-28: receive security information with directive (i.e. command, management message))
- b) applying the particular configuration directive only when the configuration information has the number of required signatures by the required principals and only upon successively validating all required signatures. (see Bosler paragraph [0058], lines 5-14: digital signature authentication; paragraph [0069], lines 1-5: apply directives or commands after authentication)

Regarding Claims 5, 15, Bosler discloses a, and wherein public keys for the digital signatures are stored on the host. (see Bosler paragraph [0073], lines 4-7: security information stored in central location (i.e. host system), (i.e. option, each individual system or host))

Regarding Claims 6, 16, Bosler discloses a method as recited in Claim 1, wherein the digital signatures use public key cryptography, wherein public keys for the digital signatures are stored on a key server and retrieved from the key server as part of attempting to validate the digital signatures. (see Bosler paragraph [0007], lines 6-8: public key cryptography authentication; paragraph [0073], lines 4-7; paragraph [0060],

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lines 1-6: security information stored in central location or in each individual system or host, certification server (i.e. key server))

Regarding Claims 7, 17, Bosler discloses a method as recited in Claim 1, wherein the digital signatures use public key cryptography, and wherein public keys for the digital signatures received in a digital certificate and extracted from the digital certificate as part of attempting to validate the digital signatures. (see Bosler paragraph [0058], lines 5-7: public/private key pair; paragraph [0060], lines 1-6: Certificate Authority (CA) , public key certificate; paragraph [0008], lines 7-13: verification (i.e. validation) with digital signature)

Regarding Claim 8. Bosler discloses a method, comprising the computer implemented steps of:

- a) receiving a public key for a user of the network devices; receiving trust information defining one or more trusted signatories; (see Bosler paragraph [0058], lines 5-7: public/private key pairs; paragraph [0060], lines 1-6: CAs (i.e. trusted signatories) distributing or granting certificates)
- b) receiving configuration control information that includes a time period during which a valid digital signature is required for applying one or more particular configuration directives; (see Bosler paragraph [0071], lines 1-13; paragraph [0073], lines 77-22: time-based certificate, directive authentication)

- c) receiving configuration information comprising a hostname, one or more configuration directives for a host network element associated with the hostname, one or more digital signatures of the hostname and configuration directives, and a date time value; (see Bosler paragraph [0058], lines 5-14: management (i.e. configuration) information transferred between manager and client, digital signature verification required)
- d) determining if the date time value is within the time period; (see Bosler paragraph [0073], lines 17-22: time based verification for certificate, time period valid)
- e) determining if the one or more configuration directives have been previously received during the time period; (see Bosler paragraph [0069], lines 1-5: process configuration directive(s), commands) and
- f) only when the date time value is within the time period (see Bosler paragraph [0073], lines 17-22: time based certificate) and the one or more configuration directives have not been previously received during the time period, attempting to verify the one or more digital signatures based on the trust information, and applying the configuration directives to a network element only when the one or more digital signatures are verified successfully. (see Bosler paragraph [0058], lines 5-14: apply directives when digital signature authenticated)

Regarding Claims 9, 10, Bosler discloses a method as recited in Claim 8, wherein the step of determining if the one or more configuration directives have been previously received during the time period comprises the steps of

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- a) generating a secure hash of the one or more configuration directives; (see Bosler paragraph [0078], lines 3-15: generate secure hash value for authentication)
- b) determining if the secure hash is found in non volatile memory. (see Bosler paragraph [0078], lines 3-15; paragraph [0067], lines 4-8: memory, workspace for data processing: memory (i.e. non-volatile))

Regarding Claim 11, Bosler discloses a method as recited in Claim 8, further comprising the step of storing the secure hash in non volatile memory, in association with an expiration value, when the date time value is within the time period and the one or more configuration directives have not been previously received during the time period. (see Bosler paragraph [0067], lines 4-8: memory, workspace for data processing; paragraph [0071], lines 1-13; paragraph [0073], lines 4-7: time-based certificates; paragraph [0078], lines 3-15: hash (i.e. digest) values utilized for authentication)

Regarding Claim 12, Bosler discloses a method as recited in Claim 8, further comprising the steps of verifying that the one or more digital signatures is valid and that one or more principals respectively associated with the digital signatures have collective authority to perform the directives on the host. (see Bosler paragraph [0058], lines 5-14: mutual authentication required before directive(s) or command(s) implemented)

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Regarding Claims 13, 14, Bosler discloses a method as recited in Claim 8, further comprising the steps of

- a) receiving, in association with a particular configuration directive, security information defining a number of required signatures and required principals; (see Bosler paragraph [0058], lines 21-28: key, security information received with directive or command)
- b) applying the particular configuration directive only when the configuration information has the number of required signatures by the required principals and only upon successively validating all required signatures. (see Bosler paragraph [0058], lines 5-14; paragraph [0069], lines 1-5: validate digital signature, process directive or command)

Regarding Claim 18, Bosler discloses a method for verifying configuration changes for network devices using digital signatures, comprising the computer implemented steps of:

- a) receiving a public key for a user of the network devices; (see Bosler paragraph [0058], lines 5-7: public/private key pairs; paragraph [0060], lines 1-6: CAs (i.e. trusted signatories) distributing or granting certificates (i.e. public key certificate), received by user)
- b) receiving configuration control information that includes a time period during which a valid digital signature is required for applying one or more particular

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configuration directives to a specified network device; (see Bosler paragraph [0071], lines 1-13; paragraph [0073], lines 17-22: time based certificate)

- c) receiving configuration information comprising a hostname, one or more configuration directives for the specified network device associated with the hostname, one or more digital signatures of the hostname and configuration directives, and a date time value; (see Bosler paragraph [0058], lines 5-14: management (i.e. configuration) information transferred between manager and client, digital signature verification required)
- d) determining if the date time value is within the time period; (see Bosler paragraph [0073], lines 17-22: time based certificate, time period valid)
- e) determining if the one or more configuration directives have been previously received during the time period, by generating a secure hash of the one or more configuration directives and determining if the secure hash is found in memory; (see Bosler paragraph [0078], lines 3-15: hash (i.e. digest) utilized) and
- f) only when the date time value is within the time period and the one or more configuration directives have not been previously received during the time period, (see Bosler paragraph [0073], lines 17-22: time-based certificate, time period valid)

performing the steps of:

- g) attempting to verify the one or more digital signatures based on generating a secure hash of the one or more configuration directives using the public key and comparing the secure hash to the one or more digital signatures, and applying

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the configuration directives to a network element only when the one or more digital signatures are verified successfully. (see Bosler paragraph [0078], lines 3-15: hash generation, authentication)

Regarding Claims 19, 23, 31, Bosler discloses a method as recited in any of Claims 1, 8, or 18, wherein the one or more digital signatures comprise a first digital signature of the one or more configuration directives by a first user, and a second digital signature by a second user, wherein the second digital signature is applied to a resultant of the first digital signature. (see Bosler paragraph [0078], lines 7-15: comparison (i.e. is applied) of resultant hashes (i.e. digest, digital signature) for authentication)

Regarding Claims 20, 24, 32, Bosler discloses a method as recited in any of Claims 1, 8, or 18, wherein the one or more digital signatures comprise a first digital signature of a first portion of the one or more configuration directives by a first user, a second digital signature of a second portion of the one or more configuration directives by a second user, and a third digital signature by a third user, wherein the third digital signature is applied to a resultant of the first digital signature and the second digital signature. (see Bosler paragraph [0078], lines 7-15: comparison (i.e. is applied) of resultant hashes (i.e. digest, digital signature) for authentication)

Regarding Claim 27, Bosler discloses an apparatus as recited in Claim 25, wherein the one or more digital signatures comprise a first digital signature of the one or more

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configuration directives by a first user, and a second digital signature by a second user, wherein the second digital signature is applied to a resultant of the first digital signature. (see Bosler paragraph [0078], lines 7-15: comparison (i.e. is applied) of resultant hashes (i.e. digest, digital signature) for authentication)

Regarding Claim 28, Bosler discloses an apparatus as recited in Claim 25, wherein the one or more digital signatures comprise a first digital signature of a first portion of the one or more configuration directives by a first user, a second digital signature of a second portion of the one or more configuration directives by a second user, and a third digital signature by a third user, wherein the third digital signature is applied to a resultant of the first digital signature and the second digital signature. (see Bosler paragraph [0078], lines 7-15: comparison (i.e. is applied) of resultant hashes (i.e. digest, digital signature) for authentication)

Regarding Claim 29, Bosler discloses An apparatus for verifying configuration changes for network devices using digital signatures, comprising: a network interface that is coupled to the data network for receiving one or more packet flows therefrom;

a) a processor; (see Bosler paragraph [0067], lines 4-8: processor)

one or more stored sequences of instructions which, when executed by the processor, cause the processor to carry out the steps of:

b) receiving trust information defining one or more trusted signatories; (see Bosler paragraph [0058], lines 5-7: public/private key pairs; paragraph [0060], lines 1-6:

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CAs (i.e. trusted signatories) distributing or granting certificates, received by user)

- c) receiving configuration information comprising a hostname, one or more configuration directives for a host network element associated with the hostname, and one or more digital signatures of the hostname and configuration directives; (see Bosler paragraph [0058], lines 5-14: management (i.e. configuration) information transferred between manager and client, digital signature verification required)
- d) attempting to verify the one or more digital signatures based on the trust information; (see Bosler paragraph [0008], lines 7-13: verify digital signature)
- e) applying the configuration directives to a network element only when the one or more digital signatures are verified successfully. (see Bosler paragraph [0058], lines 5-14; paragraph [0069], lines 1-5: signature verification, process directive)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlton V. Johnson whose telephone number is 571-270-1032. The examiner can normally be reached on Monday thru Friday , 8:00 - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-272-4195. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

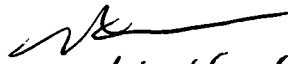
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CVJ

April 13, 2007

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Art Unit 2136